

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD OTTO HANSEN,)	8:08CV444
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
JAMES MARR, Sheriff of Nuckolls)	
County, Nebraska,)	
)	
Respondent.)	

This matter is before the court on its own motion. On January 29, 2009, Petitioner filed a Request for Certificate of Appealability relating to the court's January 26, 2009 Memorandum and Order and Judgment. (Filing No. [15](#).) However, Petitioner has not filed a notice of appeal. The court cannot rule on the certificate of appealability question unless Petitioner also files a notice of appeal. Petitioner has 30 days from the date of the Judgement, or until February 25, 2009, to file a notice of appeal.

IT IS THEREFORE ORDERED that:

1. Petitioner shall have until February 25, 2009 to file a notice of appeal.

2. In the event that Petitioner fails to file a notice of appeal by February 25, 2009, the Request for Certificate of Appealability will be denied without further notice.

February 3, 2009.

BY THE COURT:

s/Richard G. Kopf
United States District Judge